

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

YVETTE FELARCA, ET AL.,

Plaintiffs,

v.

ROBERT J. BIRGENEAU, ET AL.,

Defendants.

Case No. 11-cv-05719-YGR

**ORDER RE: DEFENDANTS' MOTION FOR
LEAVE TO FILE MOTION FOR
RECONSIDERATION OF ORDER GRANTING
PLAINTIFFS' ADMINISTRATIVE MOTION
FOR EXTENSION OF TIME**

Re: Dkt. No. 349, 350, 351

On December 19, 2014, the same date as the parties' original deadline to disclose opening expert reports, Plaintiffs filed their Motion to Extend Time for Expert Witness Disclosure. (Dkt. No. 346.) On December 23, 2014, the Court granted Plaintiffs' Motion for Extension of Time for Expert Witness Disclosure, and ordered as follows:

(1) the deadline to disclose opening experts was extended from December 19, 2014, to January 16, 2015;

(2) the deadline to disclose rebuttal experts was extended from January 23, 2015 to February 6, 2015; and

(3) the expert discovery cutoff was extended from February 13, 2015, to February 20, 2015. (December 23 Order, Dkt. No. 348.)

Defendants Robert J. Birgeneau, *et. al.* ("the UC Defendants"), have filed a Motion for Leave to File Motion for Reconsideration of that December 23 Order (Dkt. No. 349.) Defendants Lackler, Armijo, Buckhout, Buschhueter, Garcia, Obichere, Rodrigues, and Wilson have filed joinders in the UC Defendants' motion. (Dkt. Nos. 350, 351.)

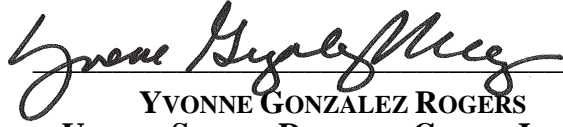
The Court is not inclined to reconsider the December 23 Order, which was made in the exercise of the Court's discretion under all the circumstances, and with the knowledge that witness depositions had not been completed. However, given that Defendants submitted their opening

expert reports prior to the extension being granted, the Court **ORDERS** that Defendants are given leave to amend their expert witness disclosure for exchange in accordance with the new dates.

Should Defendants seek any additional relief based upon the December 23 Order, the parties shall meet and confer and submit a joint letter brief of no more than three pages outlining the relief sought and the basis therefore.

IT IS SO ORDERED.

Dated: January 2, 2015


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California